



Order Filed on April 20, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**MELLINGER KARTZMAN LLC**

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*Attorneys for Steven P. Kartzman, Chapter 7 Trustee*

In re:

**ELAINA LIVA,**

Debtor.

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

Case No. 19-25392 (RG)

Chapter 7 Hg. Date: 4/20/21

Honorable Rosemary Gambardella

**ORDER TO PERPETUATE TESTIMONY OF ELAINA LIVA BY  
DEPOSITION PURSUANT TO FED. R. CIV. P. 27 AND FED. R. BANKR. P. 7027**

The relief set forth on the following pages, numbered two (2) and three (3), is hereby  
ORDERED.

**DATED: April 20, 2021**

A handwritten signature in cursive script that reads "Rosemary Gambardella".  
\_\_\_\_\_  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

Debtor: Elaina Liva  
Case No.: 19-25392 (RG)  
Caption: Order to Perpetuate Testimony of Elaina Liva by Deposition Pursuant to [FED. R. CIV. P. 27](#) and [FED. R. BANKR. P. 7027](#)

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THIS MATTER having been brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee (the “Trustee”), by and through his attorneys Mellinger Kartzman LLC, for entry of an order to Perpetuate Testimony of Elaina Liva by Deposition Pursuant to [FED. R. CIV. P. 27](#) and [FED. R. BANKR. P. 7027](#) (the “Motion”); and it appearing that notice of the motion has been duly served; and the Court having considered opposition to the Motion and the arguments of counsel, if any, and good cause having been shown, it is hereby:

**ORDERED AS FOLLOWS:**

1. The Trustee is authorized to depose Elaina Liva pursuant to [FED. R. CIV. P. 27](#) and [FED. R. BANKR. P. 7027](#).
2. The subject matter of the deposition shall be transfers made to, or on behalf of, Jamie Willard Liva nee Jamie Willard, Christopher Liva, Daniel Willard, and Daniel Perla between June 9, 2016 and March 6, 2019.
3. Counsel for Jamie Willard Liva nee Jamie Willard, Christopher Liva, Daniel Willard, and Daniel Perla, or those parties, shall be permitted to attend the Deposition of Elaina Liva and depose Elaina Liva on the transfers made to, or on behalf of, Jamie Willard Liva nee Jamie Willard, Christopher Liva, Daniel Willard, and Daniel Perla between June 9, 2016 through March 6, 2019.
4. The deposition of Elaina Liva pursuant to [FED. R. CIV. P. 27](#) and [FED. R. BANKR. P. 7027](#) shall be videotaped.
5. The deposition of Elaina Liva pursuant to this Order shall be admissible in any Adversary Proceeding arising under this bankruptcy estate pursuant to [FED. R. CIV. P. 32](#) and FED. R. BANKR. P. 7032.

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Debtor: Elaina Liva  
Case No.: 19-25392 (RG)  
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6. The deposition of Elaina Liva shall occur within 14 days of the entry of this Order.

7. A copy of this Order shall be served on all parties who are affected by this action

within five (5) days of the date hereof.

In re:  
Elaina Liva  
Debtor

Case No. 19-25392-RG  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Apr 21, 2021

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 23, 2021:

| Recip ID | Recipient Name and Address  |
|----------|---|
| db       | + Elaina Liva, 5 Horizon Road, Apt. 2908, Fort Lee, NJ 07024-6649 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 23, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 21, 2021 at the address(es) listed below:

| Name                | Email Address  |
|---------------------|--|
| Anthony Sodono, III | on behalf of Debtor Elaina Liva asodono@msbnj.com  |
| Denise E. Carlon    | on behalf of Creditor PNC Mortgage a Division of PNC Bank, National Association dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com |
| Judah B Loewenstein | on behalf of Trustee Steven P. Kartzman jloewenstein@msklaw.net  |
| Robert Link         | on behalf of Creditor Sterling National Bank successor by merger to Astoria Bank blink@msgsb.com                               |
| Steven A. Jayson    | on behalf of Trustee Steven P. Kartzman sjayson@msklaw.net jloewenstein@msklaw.net; donnaz@msklaw.net                          |
| Steven P. Kartzman  | on behalf of Trustee Steven P. Kartzman kartztee@optonline.net   |

District/off: 0312-2

User: admin

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Date Rcvd: Apr 21, 2021

Form ID: pdf903

Total Noticed: 1

jzapata@msklaw.net;nj16@ecfbis.com;jloewenstein@msklaw.net;denisew@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;dkhan@msklaw.net

Steven P. Kartzman

kartztee@optonline.net  
jzapata@msklaw.net;nj16@ecfbis.com;jloewenstein@msklaw.net;denisew@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;dkhan@msklaw.net

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8